

**UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND**

ALBERT L. GRAY, Administrator, et al.	:	
	:	
Plaintiffs,	:	C.A. No. 04-312 L
	:	
v.	:	
	:	
JEFFREY DERDERIAN, et al.	:	
	:	
Defendants.	:	

**DEFENDANT, MICHAEL DERDERIAN'S
ANSWER TO PLAINTIFFS' FIRST AMENDED MASTER COMPLAINT**

PRELIMINARY STATEMENT

Michael Derderian is presently charged in indictment K1 03-655A with two hundred counts of involuntary manslaughter as a result of the fire that occurred on February 20, 2003 at the Station Nightclub. Similar matters are included within the scope of the allegations of the First Amended Master Complaint. Under these circumstances, Michael Derderian expressly asserts his rights under the Fifth Amendment to the United States Constitution and Article 1, Section 13 of the Rhode Island Constitution ("Privilege") to the fullest extent possible in response to the First Amended Master Complaint and respectfully declines to answer the allegations contained in the First Amended Master Complaint for that reason.

Michael Derderian does not intend, by any of these responses, to waive his Privilege and respectfully requests that in the case of any doubt or ambiguity, his response be construed as an invocation of the Privilege rather than a waiver of the Privilege.

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FIRST DEFENSE

Defendant, Michael Derderian, is without sufficient information or knowledge to admit or deny the allegations of paragraphs 1-240 of the Plaintiffs' First Amended Master Complaint and leaves the plaintiffs to their proof thereof.

SECOND DEFENSE

Averments 241 through 270 are reserved.

THIRD DEFENSE

Defendant, Michael Derderian, is without sufficient information or knowledge to admit or deny the allegations in paragraph 271 of the Plaintiffs' First Amended Master Complaint and leave the plaintiffs to their proof thereof.

JEFFREY DERDERIAN

FOURTH DEFENSE

It is admitted that Jeffrey Derderian is an individual who at all times material hereto resided in Cranston, Providence County, Rhode Island. As for the remaining allegations of paragraphs 272 and 273, Defendant, Michael Derderian, respectfully invokes his Privilege against self incrimination and declines to respond to these allegations because he is presently charged in indictment K1 03-655A with two hundred counts of involuntary manslaughter as a result of the fire that occurred on February 20, 2003 at the Station Nightclub.

FIFTH DEFENSE

Defendant, Michael Derderian, respectfully invokes his Privilege against self incrimination and declines to respond to the allegations in paragraph 274 of Plaintiffs' First Amended Master Complaint, because he is presently charged in indictment K1 03-655A with two hundred counts of involuntary manslaughter as a result of the fire that occurred on February 20, 2003 at the Station Nightclub.

SIXTH DEFENSE

Defendant, Michael Derderian, respectfully invokes his Privilege against self incrimination and declines to respond to the allegations in paragraph 275 of Plaintiffs' First Amended Master Complaint, because he is presently charged in indictment K1 03-655A with two hundred counts of involuntary manslaughter as a result of the fire that occurred on February 20, 2003 at the Station Nightclub.

SEVENTH DEFENSE

Defendant, Michael Derderian, respectfully invokes his Privilege against self incrimination and declines to respond to the allegations in paragraph 276 of Plaintiffs' First Amended Master Complaint, because he is presently charged in indictment K1 03-655A with two hundred counts of involuntary manslaughter as a result of the fire that occurred on February 20, 2003 at the Station Nightclub.

EIGHTH DEFENSE

Defendant, Michael Derderian, respectfully invokes his Privilege against self incrimination and declines to respond to the allegations in paragraph 277 of Plaintiffs' First Amended Master Complaint, because he presently charged in indictment K1 03-655A with two hundred counts of involuntary manslaughter as a result of the fire that occurred on February 20, 2003 at the Station Nightclub.

NINTH DEFENSE

Defendant, Michael Derderian, respectfully invokes his Privilege against self incrimination and declines to respond to the allegations in paragraph 278 of Plaintiffs' First Amended Master Complaint, because he is presently charged in indictment K1 03-655A with two hundred counts of involuntary manslaughter as a result of the fire that occurred on February 20, 2003 at the Station Nightclub.

TENTH DEFENSE

Defendant, Michael Derderian, respectfully invokes his Privilege against self incrimination and declines to respond to the allegations in paragraph 279 of Plaintiffs' First Amended Master Complaint, because he is presently charged in indictment K1 03-655A with two hundred counts of involuntary manslaughter as a result of the fire that occurred on February 20, 2003 at the Station Nightclub.

ELEVENTH DEFENSE

Defendant, Michael Derderian, respectfully invokes his Privilege against self incrimination and declines to respond to the allegations in paragraphs 280 and 281 of Plaintiffs' First Amended Master Complaint, because he is presently charged in indictment K1 03-655A with two hundred counts of involuntary manslaughter as a result of the fire that occurred on February 20, 2003 at the Station Nightclub.

TWELFTH DEFENSE

Defendant, Michael Derderian, respectfully invokes his Privilege against self incrimination and declines to respond to the allegations in paragraphs 282 and 283 of Plaintiffs' First Amended Master Complaint, because he is presently charged in indictment K1 03-655A with two hundred counts of involuntary manslaughter as a result of the fire that occurred on February 20, 2003 at the Station Nightclub.

MICHAEL DERDERIAN

THIRTEENTH DEFENSE

Defendant, Michael Derderian, admits that he is an individual who at the times material hereto resided in Narragansett, Washington County, Rhode Island. As for the remaining averments of paragraph 284, Michael Derderian respectfully invokes his Privilege against self incrimination and declines to respond to these allegations because he is presently charged in

indictment K1 03-655A with two hundred counts of involuntary manslaughter as a result of the fire that occurred on February 20, 2003 at the Station Nightclub.

FOURTEENTH DEFENSE

Defendant, Michael Derderian, respectfully invokes his Privilege against self incrimination and declines to respond to the allegations in paragraph 285 of Plaintiffs' First Amended Master Complaint, because he is presently charged in indictment K1 03-655A with two hundred counts of involuntary manslaughter as a result of the fire that occurred on February 20, 2003 at the Station Nightclub.

FIFTHTEENTH DEFENSE

Defendant, Michael Derderian, respectfully invokes his Privilege against self incrimination and declines to respond to the allegations in paragraph 286 of Plaintiffs' First Amended Master Complaint, because he is presently charged in indictment K1 03-655A with two hundred counts of involuntary manslaughter as a result of the fire that occurred on February 20, 2003 at the Station Nightclub.

SIXTEENTH DEFENSE

Defendant, Michael Derderian, respectfully invokes his Privilege against self incrimination and declines to respond to the allegations in paragraphs 287 and 288 of Plaintiffs' First Amended Master Complaint, because he is presently charged in indictment K1 03-655A with two hundred counts of involuntary manslaughter as a result of the fire that occurred on February 20, 2003 at the Station Nightclub.

SEVENTEENTH DEFENSE

Defendant, Michael Derderian, respectfully invokes his Privilege against self incrimination and declines to respond to the allegations in paragraphs 289 and 290 of Plaintiffs' First Amended Master Complaint, because he is presently charged in indictment K1 03-655A

with two hundred counts of involuntary manslaughter as a result of the fire that occurred on February 20, 2003 at the Station Nightclub.

EIGHTEENTH DEFENSE

Defendant, Michael Derderian, respectfully invokes his Privilege against self incrimination and declines to respond to the allegations in paragraphs 291 through 297 of Plaintiffs' First Amended Master Complaint because he is presently charged in indictment K1 03-655A with two hundred counts of involuntary manslaughter as a result of the fire that occurred on February 20, 2003 at the Station Nightclub. By way of further response, Jeffrey Derderian and Michael Derderian are the only members of DERCO LLC and have appointed Robert E. Flaherty, Esquire as an agent to respond on the behalf of DERCO LLC. Defendant, Michael Derderian, has invoked his Privilege against self-incrimination he has refused to provide DERCO LLC's agent, Robert E. Flaherty, Esq., with testimonial information which may constitute a waiver of his Privilege against self-incrimination.

HOWARD JULIAN

NINETEENTH DEFENSE

298. – 303. Defendant, Michael Derderian, neither admits nor denies the allegations of these paragraphs, as they are either directed to a defendant other than Michael Derderian or constitute constitute conclusions of law to which no response is required. To the extent that any allegations of these paragraphs are directed to the defendant, Michael Derderian, he respectfully invokes his Privilege against self incrimination and declines to respond to the allegations because he is presently charged in indictment K1 03-655A with two hundred counts of involuntary manslaughter as a result of the fire that occurred on February 20, 2003 at the Station Nightclub.

TRITON REALTY LIMITED PARTNERSHIP

TWENTIETH DEFENSE

304. – 311. Defendant, Michael Derderian, neither admits nor denies the allegations of these paragraphs, as they are either directed to a defendant other than Michael Derderian or constitute conclusions of law to which no response is required. To the extent that any allegations of these paragraphs are directed to the defendant, Michael Derderian, he respectfully invokes his Privilege against self incrimination and declines to respond to the allegations because he is presently charged in indictment K1 03-655A with two hundred counts of involuntary manslaughter as a result of the fire that occurred on February 20, 2003 at the Station Nightclub.

TRITON REALTY, INC

TWENTY-FIRST DEFENSE

312. – 319. Defendant, Michael Derderian, neither admits nor denies the allegations of these paragraphs, as they are either directed to a defendant other than Michael Derderian or constitute conclusions of law to which no response is required. To the extent that any allegations of these paragraphs are directed to the defendant, Michael Derderian, he respectfully invokes his Privilege against self incrimination and declines to respond to the allegations because he is presently charged in indictment K1 03-655A with two hundred counts of involuntary manslaughter as a result of the fire that occurred on February 20, 2003 at the Station Nightclub.

RAYMOND J. VILLANOVA

TWENTY-SECOND DEFENSE

320. -327. Defendant, Michael Derderian, neither admits nor denies the allegations of these paragraphs, as they are either directed to a defendant other than Michael Derderian or

constitute conclusions of law to which no response is required. To the extent that any allegations of these paragraphs are directed to the defendant, Michael Derderian, he respectfully invokes his Privilege against self incrimination and declines to respond to the allegations because he is presently charged in indictment K1 03-655A with two hundred counts of involuntary manslaughter as a result of the fire that occurred on February 20, 2003 at the Station Nightclub.

JACK RUSSELL

TWENTY-THIRD DEFENSE

328. – 334. Defendant, Michael Derderian, neither admits nor denies the allegations of these paragraphs, as they are either directed to a defendant other than Michael Derderian or constitute conclusions of law to which no response is required. To the extent that any allegations of these paragraphs are directed to the defendant, Michael Derderian, he respectfully invokes his Privilege against self incrimination and declines to respond to the allegations because he is presently charged in indictment K1 03-655A with two hundred counts of involuntary manslaughter as a result of the fire that occurred on February 20, 2003 at the Station Nightclub.

JACK RUSSELLTOURING, INC.

TWENTY-FOURTH DEFENSE

335. – 343. Defendant, Michael Derderian, neither admits nor denies the allegations of these paragraphs, as they are either directed to a defendant other than Michael Derderian or constitute conclusions of law to which no response is required. To the extent that any allegations of these paragraphs are directed to the defendant, Michael Derderian, he respectfully invokes his Privilege against self incrimination and declines to respond to the allegations because he is

presently charged in indictment K1 03-655A with two hundred counts of involuntary manslaughter as a result of the fire that occurred on February 20, 2003 at the Station Nightclub.

PAUL WOOLNOUGH

TWENTY-FIFTH DEFENSE

344. – 351. Defendant, Michael Derderian, neither admits nor denies the allegations of these paragraphs, as they are either directed to a defendant other than Michael Derderian or constitute conclusions of law to which no response is required. To the extent that any allegations of these paragraphs are directed to the defendant, Michael Derderian, he respectfully invokes his Privilege against self incrimination and declines to respond to the allegations because he is presently charged in indictment K1 03-655A with two hundred counts of involuntary manslaughter as a result of the fire that occurred on February 20, 2003 at the Station Nightclub.

MANIC MUSIC MANAGEMENT, INC.

TWENTY-SIXTH DEFENSE

352. – 359. Defendant, Michael Derderian, neither admits nor denies the allegations of these paragraphs, as they are either directed to a defendant other than Michael Derderian or constitute conclusions of law to which no response is required. To the extent that any allegations of these paragraphs are directed to the defendant, Michael Derderian, he respectfully invokes his Privilege against self incrimination and declines to respond to the allegations because he is presently charged in indictment K1 03-655A with two hundred counts of involuntary manslaughter as a result of the fire that occurred on February 20, 2003 at the Station Nightclub.

KNIGHT RECORDS, INC.

TWENTY-SEVENTH DEFENSE

360. – 367. Defendant, Michael Derderian, neither admits nor denies the allegations of these paragraphs, as they are either directed to a defendant other than Michael Derderian or constitute conclusions of law to which no response is required. To the extent that any allegations of these paragraphs are directed to the defendant, Michael Derderian, he respectfully invokes his Privilege against self incrimination and declines to respond to the allegations because he is presently charged in indictment K1 03-655A with two hundred counts of involuntary manslaughter as a result of the fire that occurred on February 20, 2003 at the Station Nightclub.

DANIEL BIECHELE

TWENTY-EIGHTH DEFENSE

368. – 375. Defendant, Michael Derderian, neither admits nor denies the allegations of these paragraphs, as they are either directed to a defendant other than Michael Derderian or constitute conclusions of law to which no response is required. To the extent that any allegations of these paragraphs are directed to the defendant, Michael Derderian, he respectfully invokes his Privilege against self incrimination and declines to respond to the allegations because he is presently charged in indictment K1 03-655A with two hundred counts of involuntary manslaughter as a result of the fire that occurred on February 20, 2003 at the Station Nightclub.

ANHEUSER-BUSCH, INCORPORATED AND
ANHEUSER-BUSCH COMPANIES, INCORPORATED

TWENTY-NINTH DEFENSE

376. – 386. Defendant, Michael Derderian, neither admits nor denies the allegations of these paragraphs, as they are either directed to a defendant other than Michael Derderian or

constitute conclusions of law to which no response is required. To the extent that any allegations of these paragraphs are directed to the defendant, Michael Derderian, he respectfully invokes his Privilege against self incrimination and declines to respond to the allegations because he is presently charged in indictment K1 03-655A with two hundred counts of involuntary manslaughter as a result of the fire that occurred on February 20, 2003 at the Station Nightclub.

MCLAUGHLIN & MORAN, INC.

THIRTIETH DEFENSE

387. – 394. Defendant, Michael Derderian, neither admits nor denies the allegations of these paragraphs, as they are either directed to a defendant other than Michael Derderian or constitute conclusions of law to which no response is required. To the extent that any allegations of these paragraphs are directed to the defendant, Michael Derderian, he respectfully invokes his Privilege against self incrimination and declines to respond to the allegations because he is presently charged in indictment K1 03-655A with two hundred counts of involuntary manslaughter as a result of the fire that occurred on February 20, 2003 at the Station Nightclub.

WHJY, INC and CAPSTAR RADIO OPERATING COMPANY

THIRTY-FIRST DEFENSE

395. – 404. Defendant, Michael Derderian, neither admits nor denies the allegations of these paragraphs, as they are either directed to a defendant other than Michael Derderian or constitute conclusions of law to which no response is required. To the extent that any allegations of these paragraphs are directed to the defendant, Michael Derderian, he respectfully invokes his Privilege against self incrimination and declines to respond to the allegations because he is

presently charged in indictment K1 03-655A with two hundred counts of involuntary manslaughter as a result of the fire that occurred on February 20, 2003 at the Station Nightclub.

CLEAR CHANNEL BROADCASTING, INC.

THIRTY-SECOND DEFENSE

405. – 410. Defendant, Michael Derderian, neither admits nor denies the allegations of these paragraphs, as they are either directed to a defendant other than Michael Derderian or constitute conclusions of law to which no response is required. To the extent that any allegations of these paragraphs are directed to the defendant, Michael Derderian, he respectfully invokes his Privilege against self incrimination and declines to respond to the allegations because he is presently charged in indictment K1 03-655A with two hundred counts of involuntary manslaughter as a result of the fire that occurred on February 20, 2003 at the Station Nightclub.

**DENIS P. LAROCQUE, ANTHONY BETTENCOURT, AND MALCOLM MOORE, IN
HIS CAPACITY AS FINANCE DIRECTOR OF THE TOWN OF WEST WARWICK**

THIRTY-THIRD DEFENSE

411. – 433. Defendant, Michael Derderian, neither admits nor denies the allegations of these paragraphs, as they are either directed to a defendant other than Michael Derderian or constitute conclusions of law to which no response is required. To the extent that any allegations of these paragraphs are directed to the defendant, Michael Derderian, he respectfully invokes his Privilege against self incrimination and declines to respond to the allegations because he is presently charged in indictment K1 03-655A with two hundred counts of involuntary manslaughter as a result of the fire that occurred on February 20, 2003 at the Station Nightclub.

STATE OF RHODE ISLAND AND IRVING J. OWENS, FIRE MARSHAL

THIRTY-FOURTH DEFENSE

434. – 440. Defendant, Michael Derderian, neither admits nor denies the allegations of these paragraphs, as they are either directed to a defendant other than Michael Derderian or constitute conclusions of law to which no response is required. To the extent that any allegations of these paragraphs are directed to the defendant, Michael Derderian, he respectfully invokes his Privilege against self incrimination and declines to respond to the allegations because he is presently charged in indictment K1 03-655A with two hundred counts of involuntary manslaughter as a result of the fire that occurred on February 20, 2003 at the Station Nightclub.

BRIAN BUTLER

THIRTY-FIFTH DEFENSE

441. – 446. Defendant, Michael Derderian, neither admits nor denies the allegations of these paragraphs, as they are either directed to a defendant other than Michael Derderian or constitute conclusions of law to which no response is required. To the extent that any allegations of these paragraphs are directed to the defendant, Michael Derderian, he respectfully invokes his Privilege against self incrimination and declines to respond to the allegations because he is presently charged in indictment K1 03-655A with two hundred counts of involuntary manslaughter as a result of the fire that occurred on February 20, 2003 at the Station Nightclub.

TVL BROADCASTING, INC.

THIRTY-SIXTH DEFENSE

447. – 452. Defendant, Michael Derderian, neither admits nor denies the allegations of these paragraphs, as they are either directed to a defendant other than Michael Derderian or

constitute conclusions of law to which no response is required. To the extent that any allegations of these paragraphs are directed to the defendant, Michael Derderian, he respectfully invokes his Privilege against self incrimination and declines to respond to the allegations because he is presently charged in indictment K1 03-655A with two hundred counts of involuntary manslaughter as a result of the fire that occurred on February 20, 2003 at the Station Nightclub.

STC BROADCASTING, INC.

THIRTY-SEVENTH DEFENSE

453. – 458. Defendant, Michael Derderian, neither admits nor denies the allegations of these paragraphs, as they are either directed to a defendant other than Michael Derderian or constitute conclusions of law to which no response is required. To the extent that any allegations of these paragraphs are directed to the defendant, Michael Derderian, he respectfully invokes his Privilege against self incrimination and declines to respond to the allegations because he is presently charged in indictment K1 03-655A with two hundred counts of involuntary manslaughter as a result of the fire that occurred on February 20, 2003 at the Station Nightclub.

BARRY H. WARNER

THIRTY-EIGHTH DEFENSE

459. – 468. Defendant, Michael Derderian, neither admits nor denies the allegations of these paragraphs, as they are either directed to a defendant other than Michael Derderian or constitute conclusions of law to which no response is required. To the extent that any allegations of these paragraphs are directed to the defendant, Michael Derderian, he respectfully invokes his Privilege against self incrimination and declines to respond to the allegations because he is

presently charged in indictment K1 03-655A with two hundred counts of involuntary manslaughter as a result of the fire that occurred on February 20, 2003 at the Station Nightclub.

LUNA TECH, INC.

THIRTY-NINTH DEFENSE

469. – 480. Defendant, Michael Derderian, neither admits nor denies the allegations of these paragraphs, as they are either directed to a defendant other than Michael Derderian or constitute conclusions of law to which no response is required. To the extent that any allegations of these paragraphs are directed to the defendant, Michael Derderian, he respectfully invokes his Privilege against self incrimination and declines to respond to the allegations because he is presently charged in indictment K1 03-655A with two hundred counts of involuntary manslaughter as a result of the fire that occurred on February 20, 2003 at the Station Nightclub.

HIGH TECH SPECIAL EFFECTS, INC.

FORTIETH DEFENSE

481. – 492. Defendant, Michael Derderian, neither admits nor denies the allegations of these paragraphs, as they are either directed to a defendant other than Michael Derderian or constitute conclusions of law to which no response is required. To the extent that any allegations of these paragraphs are directed to the defendant, Michael Derderian, he respectfully invokes his Privilege against self incrimination and declines to respond to the allegations because he is presently charged in indictment K1 03-655A with two hundred counts of involuntary manslaughter as a result of the fire that occurred on February 20, 2003 at the Station Nightclub.

AMERICAN FOAM CORPORATION

FORTY-FIRST DEFENSE

493. – 506. Defendant, Michael Derderian, neither admits nor denies the allegations of these paragraphs, as they are either directed to a defendant other than Michael Derderian or constitute conclusions of law to which no response is required. To the extent that any allegations of these paragraphs are directed to the defendant, Michael Derderian, he respectfully invokes his Privilege against self incrimination and declines to respond to the allegations because he is presently charged in indictment K1 03-655A with two hundred counts of involuntary manslaughter as a result of the fire that occurred on February 20, 2003 at the Station Nightclub.

LEGGETT & PLATT INCORPORATED

FORTY-SECOND DEFENSE

507. – 535. Defendant, Michael Derderian, neither admits nor denies the allegations of these paragraphs, as they are either directed to a defendant other than Michael Derderian or constitute conclusions of law to which no response is required. To the extent that any allegations of these paragraphs are directed to the defendant, Michael Derderian, he respectfully invokes his Privilege against self incrimination and declines to respond to the allegations because he is presently charged in indictment K1 03-655A with two hundred counts of involuntary manslaughter as a result of the fire that occurred on February 20, 2003 at the Station Nightclub.

L&P FINANCIAL SERVICES CO.

FORTY-THIRD DEFENSE

536. – 563. Defendant, Michael Derderian, neither admits nor denies the allegations of these paragraphs, as they are either directed to a defendant other than Michael Derderian or

constitute conclusions of law to which no response is required. To the extent that any allegations of these paragraphs are directed to the defendant, Michael Derderian, he respectfully invokes his Privilege against self incrimination and declines to respond to the allegations because he is presently charged in indictment K1 03-655A with two hundred counts of involuntary manslaughter as a result of the fire that occurred on February 20, 2003 at the Station Nightclub.

GENERAL FOAM CORPORATION

FORTY-FOURTH DEFENSE

564. – 591. Defendant, Michael Derderian, neither admits nor denies the allegations of these paragraphs, as they are either directed to a defendant other than Michael Derderian or constitute conclusions of law to which no response is required. To the extent that any allegations of these paragraphs are directed to the defendant, Michael Derderian, he respectfully invokes his Privilege against self incrimination and declines to respond to the allegations because he is presently charged in indictment K1 03-655A with two hundred counts of involuntary manslaughter as a result of the fire that occurred on February 20, 2003 at the Station Nightclub.

GFC FOAM, LLC

FORTY-FIFTH DEFENSE

592. – 620. Defendant, Michael Derderian, neither admits nor denies the allegations of these paragraphs, as they are either directed to a defendant other than Michael Derderian or constitute conclusions of law to which no response is required. To the extent that any allegations of these paragraphs are directed to the defendant, Michael Derderian, he respectfully invokes his Privilege against self incrimination and declines to respond to the allegations because he is

presently charged in indictment K1 03-655A with two hundred counts of involuntary manslaughter as a result of the fire that occurred on February 20, 2003 at the Station Nightclub.

FOAMEX LP

FORTY-SIXTH DEFENSE

621. – 622. Defendant, Michael Derderian, neither admits nor denies the allegations of these paragraphs, as they are either directed to a defendant other than Michael Derderian or constitute conclusions of law to which no response is required. To the extent that any allegations of these paragraphs are directed to the defendant, Michael Derderian, he respectfully invokes his Privilege against self incrimination and declines to respond to the allegations because he is presently charged in indictment K1 03-655A with two hundred counts of involuntary manslaughter as a result of the fire that occurred on February 20, 2003 at the Station Nightclub.

FOAMEX INTERNATIONAL, INC.

FORTY-SEVENTH DEFENSE

623. – 625. Defendant, Michael Derderian, neither admits nor denies the allegations of these paragraphs, as they are either directed to a defendant other than Michael Derderian or constitute conclusions of law to which no response is required. To the extent that any allegations of these paragraphs are directed to the defendant, Michael Derderian, he respectfully invokes his Privilege against self incrimination and declines to respond to the allegations because he is presently charged in indictment K1 03-655A with two hundred counts of involuntary manslaughter as a result of the fire that occurred on February 20, 2003 at the Station Nightclub.

FMXI, INC.

FORTY-EIGHTH DEFENSE

626. – 628. Defendant, Michael Derderian, neither admits nor denies the allegations of these paragraphs, as they are either directed to a defendant other than Michael Derderian or constitute conclusions of law to which no response is required. To the extent that any allegations of these paragraphs are directed to the defendant, Michael Derderian, he respectfully invokes his Privilege against self incrimination and declines to respond to the allegations because he is presently charged in indictment K1 03-655A with two hundred counts of involuntary manslaughter as a result of the fire that occurred on February 20, 2003 at the Station Nightclub.

PMC, INC.

FORTY-NINTH DEFENSE

629. – 631. Defendant, Michael Derderian, neither admits nor denies the allegations of these paragraphs, as they are either directed to a defendant other than Michael Derderian or constitute conclusions of law to which no response is required. To the extent that any allegations of these paragraphs are directed to the defendant, Michael Derderian, he respectfully invokes his Privilege against self incrimination and declines to respond to the allegations because he is presently charged in indictment K1 03-655A with two hundred counts of involuntary manslaughter as a result of the fire that occurred on February 20, 2003 at the Station Nightclub.

PMC GLOBAL, INC.

FIFTITH DEFENSE

632. – 634. Defendant, Michael Derderian, neither admits nor denies the allegations of these paragraphs, as they are either directed to a defendant other than Michael Derderian or

constitute conclusions of law to which no response is required. To the extent that any allegations of these paragraphs are directed to the defendant, Michael Derderian, he respectfully invokes his Privilege against self incrimination and declines to respond to the allegations because he is presently charged in indictment K1 03-655A with two hundred counts of involuntary manslaughter as a result of the fire that occurred on February 20, 2003 at the Station Nightclub.

**JBL INCORPORATED F/K/A JAMES B. LANSING SOUND, INCORPORATED D/B/A
JBL PROFESSIONAL**

FIFTY-FIRST DEFENSE

635. – 651. Defendant, Michael Derderian, neither admits nor denies the allegations of these paragraphs, as they are either directed to a defendant other than Michael Derderian or constitute conclusions of law to which no response is required. To the extent that any allegations of these paragraphs are directed to the defendant, Michael Derderian, he respectfully invokes his Privilege against self incrimination and declines to respond to the allegations because he is presently charged in indictment K1 03-655A with two hundred counts of involuntary manslaughter as a result of the fire that occurred on February 20, 2003 at the Station Nightclub.

ESSEX INSURANCE COMPANY

FIFTY-SECOND DEFENSE

652. – 661. Defendant, Michael Derderian, neither admits nor denies the allegations of these paragraphs, as they are either directed to a defendant other than Michael Derderian or constitute conclusions of law to which no response is required. To the extent that any allegations of these paragraphs are directed to the defendant, Michael Derderian, he respectfully invokes his Privilege against self incrimination and declines to respond to the allegations because he is

presently charged in indictment K1 03-655A with two hundred counts of involuntary manslaughter as a result of the fire that occurred on February 20, 2003 at the Station Nightclub.

MULTI-STATE INSPECTIONS, INC.

FIFTY-THIRD DEFENSE

662. – 663. Defendant, Michael Derderian, neither admits nor denies the allegations of these paragraphs, as they are either directed to a defendant other than Michael Derderian or constitute conclusions of law to which no response is required. To the extent that any allegations of these paragraphs are directed to the defendant, Michael Derderian, he respectfully invokes his Privilege against self incrimination and declines to respond to the allegations because he is presently charged in indictment K1 03-655A with two hundred counts of involuntary manslaughter as a result of the fire that occurred on February 20, 2003 at the Station Nightclub.

HIGH CALIBER INSPECTIONS, INC.

FIFTY-FOURTH DEFENSE

664. – 665. Defendant, Michael Derderian, neither admits nor denies the allegations of these paragraphs, as they are either directed to a defendant other than Michael Derderian or constitute conclusions of law to which no response is required. To the extent that any allegations of these paragraphs are directed to the defendant, Michael Derderian, he respectfully invokes his Privilege against self incrimination and declines to respond to the allegations because he is presently charged in indictment K1 03-655A with two hundred counts of involuntary manslaughter as a result of the fire that occurred on February 20, 2003 at the Station Nightclub.

UNDERWRITERS AT LLOYD'S, LONDON and
GRESHAM & ASSOCIATES OF RI, INC.

FIFTY-FIFTH DEFENSE

666. – 679. Defendant, Michael Derderian, neither admits nor denies the allegations of these paragraphs, as they are either directed to a defendant other than Michael Derderian or constitute conclusions of law to which no response is required. To the extent that any allegations of these paragraphs are directed to the defendant, Michael Derderian, he respectfully invokes his Privilege against self incrimination and declines to respond to the allegations because he is presently charged in indictment K1 03-655A with two hundred counts of involuntary manslaughter as a result of the fire that occurred on February 20, 2003 at the Station Nightclub.

ABC BUS INC. D/B/A ABC BUS LEASING, INC.

FIFTY-SIXTH DEFENSE

680. – 687. Defendant, Michael Derderian, neither admits nor denies the allegations of these paragraphs, as they are either directed to a defendant other than Michael Derderian or constitute conclusions of law to which no response is required. To the extent that any allegations of these paragraphs are directed to the defendant, Michael Derderian, he respectfully invokes his Privilege against self incrimination and declines to respond to the allegations because he is presently charged in indictment K1 03-655A with two hundred counts of involuntary manslaughter as a result of the fire that occurred on February 20, 2003 at the Station Nightclub.

SUPERSTAR SERVICES LLC

FIFTY-SEVENTH DEFENSE

688. – 695. Defendant, Michael Derderian, neither admits nor denies the allegations of these paragraphs, as they are either directed to a defendant other than Michael Derderian or

constitute conclusions of law to which no response is required. To the extent that any allegations of these paragraphs are directed to the defendant, Michael Derderian, he respectfully invokes his Privilege against self incrimination and declines to respond to the allegations because he is presently charged in indictment K1 03-655A with two hundred counts of involuntary manslaughter as a result of the fire that occurred on February 20, 2003 at the Station Nightclub.

"JOHN DOE" DEFENDANTS

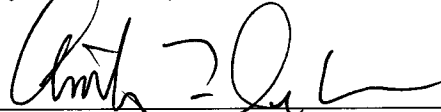
FIFTY-EIGHTH DEFENSE

696. – 706. Defendant, Michael Derderian, neither admits nor denies the allegations of these paragraphs, as they are either directed to a defendant other than Michael Derderian or constitute conclusions of law to which no response is required. To the extent that any allegations of these paragraphs are directed to the defendant, Michael Derderian, he respectfully invokes his Privilege against self incrimination and declines to respond to the allegations because he is presently charged in indictment K1 03-655A with two hundred counts of involuntary manslaughter as a result of the fire that occurred on February 20, 2003 at the Station Nightclub.

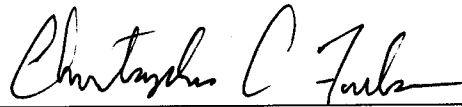
MICHAEL DERDERIAN HEREBY DEMANDS A TRIAL BY JURY

MICHAEL DERDERIAN

By his attorneys,

A handwritten signature in dark ink, appearing to read 'Anthony F. DeMarco', is written over a horizontal line.

Anthony F. DeMarco, Esquire #0799
Reynolds DeMarco & Boland, Ltd.
Suite 200 170 Westminster Street
Providence, RI 02903-2196
401-861-5522
Fax: 401-331-4861

A handwritten signature in black ink, appearing to read "Christopher C. Fallon". The signature is fluid and cursive, with a horizontal line drawn underneath it.

Christopher C. Fallon, Jr., Esquire, pro hac vice
Cozen O'Connor
1900 Market Street
Philadelphia, PA 19103
(215) 665-2000

CERTIFICATION

I hereby certify that on the 14th day of January, 2005, I mailed a copy of the within to the following attorneys of record:

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